IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 324/2007

NARENDRA KUMAR Vs. SMT. BASANTI BAI

DATE: 09.04.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Biri Singh Sinsinwar for the petitioner.

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The instant criminal revision petition under Section 397 r/w Section 401 Cr.P.C. is directed against the order dated 05.02.2007 passed by the Additional Chief Judicial Magistrate, Bundi in Criminal Case No. 20/2006, whereby the Court below has accepted the application moved on behalf of the respondent-wife under Section 125(3) Cr.P.C. for interim maintenance and awarded a sum of Rs. 1,500/- per month as interim maintenance in favour of the respondent from the date of filing of the application i.e. 09.11.2005.

Learned counsel for the petitioner prayed that the interim maintenance awarded by the Court below should be awarded from date of passing of the order i.e. 05.02.2007, whereas the same has been awarded from the date of filing of the application i.e. 09.11.2005.

Having considered the submissions made by the learned counsel for the petitioner and looking to the facts and circumstances of the case, in the interest of

justice, I deem it proper to modify the impugned order dated 05.02.2007 passed by the Court below to the extent that the order of interim maintenance will be effective from the date of passing of the order i.e.e 05.02.2007 and not from the date of filing of the application i.e. 09.11.2005.

Accordingly, the impugned order dated 05.02.2007 passed by the Additional Chief Judicial Magistrate, Bundi is modified as indicated herein above and the revision petition stands disposed of.

(K.S. RATHORE),J.

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